

REMARKS

In the Official Action dated November 10, 2004, claims 1 and 2 were objected-to for informalities. Claims 1 and 2 were also provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-4 of copending and commonly-assigned U.S. Patent Application No. 10/748,152 (LEE et al.). The Examiner indicated the allowability of claims 1-2, if amended to overcome the objections and if a terminal disclaimer is filed to disclaim the terminal portion of any patent granted on the present application which would extend beyond the term of any patent granted on U.S. Patent Application No. 10/748,152.

Initially, Applicants would like to thank the Examiner for his indication of the allowability of the inventions recited in the combinations of claims 1 and 2. Applicants would also like to thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. §119, as well as the receipt of certified copies of all of the priority documents. Applicants would also like to thank the Examiner for affixing his signature on a PTO-1449 form submitted with an Information Disclosure Statement on March 30, 2004, as well as for affixing his initials next to the citation of each document listed thereon.

Upon entry of the present Response, claims 1 and 2 will have been amended to more clearly recite the features of the claimed invention. In this regard, Applicants specifically note that claims 1 and 2 have been amended to clarify that the terms -- $\Psi$ M'-- and -- $\theta$ M'-- are measurement values. In view of the herein-contained amendments, Applicants respectfully request reconsideration and withdrawal of the outstanding

objections to claims 1 and 2.

Attached hereto, Applicants are providing a Terminal Disclaimer to disclaim the terminal part of any patent granted on the present application which would extend beyond the expiration date of any patent granted on copending U.S. Patent Application No. 10/748,152, subject to exceptions provided in the Terminal Disclaimer. By such filing, Applicants make no admissions as to the propriety of the provisional rejections of claims 1 and 2 under the judicially created doctrine of obviousness-type double patenting. Rather, applicants are filing the Terminal Disclaimer merely to obtain early allowance of the claims of the present application. Accordingly, applicants request reconsideration and withdrawal of the provisional rejection of claims 1 and 2 under the judicially created doctrine of obviousness-type double patenting.

In response to the Statement of Reasons for Allowance in the Official Action mailed by the Patent and Trademark Office on November 10, 2004, Applicants additionally wish to clarify the record with respect to the basis for the patentability of claims in the present application. In this regard, while Applicants do not disagree with the Examiner's indication that certain identified features are not disclosed by the references, Applicants submit that each of the claims in the present application recite a particular combination of features, and that the basis for patentability of each of these claims is based on the totality of the particular features recited therein.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, as well as an indication of the allowability of each of the claims now pending.

SUMMARY AND CONCLUSION

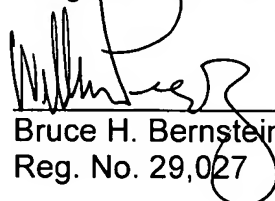
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims to more clearly recite objected-to features of the claims and have submitted a Terminal Disclaimer to disclaim, subject to exceptions, the terminal part of any patent granted on the present application which would extend beyond the expiration date of any patent granted on copending U.S. Patent Application No. 10/748,152.

Any amendments to the claims in this amendment which have not been specifically noted to overcome a rejection based upon the prior art should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Reply, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

February 1, 2005  
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Respectfully submitted,  
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